

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

JENNIFER L. GIBBS,

Plaintiff,

v.

NANCY A. BERRYHILL,
Acting Commissioner,
Social Security Administration,

Defendant.

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No. 5:18cv00237-DPM-JJV

ORDER AND JUDGMENT

Defendant filed a Motion to Remand this case (Doc. No. 13) pursuant to sentence four of 42 U.S.C. § 405(g) (1995):

The court shall have the power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.

The Commissioner seeks remand to conduct further proceedings and states opposing counsel has no objection to the requested remand. Under the circumstances, a “sentence four” remand is appropriate. *Buckner v. Apfel*, 213 F.3d 1006, 1010-11 (8th Cir. 2000).

Accordingly, the Commissioner’s decision is reversed and remanded for action consistent with this opinion. This is a “sentence four” remand within the meaning of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

SO ORDERED this 6th day of February 2019.



JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE